

**CITY OF TAKOMA PARK, MARYLAND  
(ADOPTED 1/10/05)**

**PRESENTATION, INTERVIEWS, SPECIAL SESSION & WORKSESSION OF THE  
CITY COUNCIL**

**Monday, December 6, 2004**

**OFFICIALS PRESENT:**

Mayor Porter  
Councilmember Austin-Lane  
Councilmember Barry  
Councilmember Elrich  
Councilmember Mizeur  
Councilmember Seamens  
Councilmember Williams

City Manager Matthews  
Deputy City Manager Hobbs  
Deputy City Clerk Carpenter  
Police Chief Creamer  
HCD Director Daines  
Community and Government Liaison Ludlow

The City Council convened at 7:35 p.m. in the Council Chambers of the Municipal Building, 7500 Maple Avenue, Takoma Park, Maryland.

**COUNCIL COMMENTS**

Ms. Porter noted the 25<sup>th</sup> Anniversary of Historic Takoma, Inc. She commented on the large number of people who attended for the Historic Takoma, Inc. reception and resolution. Ms. Porter announced that the agenda would be reordered to move up the resolution for Historic Takoma.

**Re-ordered the agenda.**

**SPECIAL SESSION**

**4. Resolution re: Historic Takoma, Inc.**

Ms. Austin-Lane moved the resolution congratulating Historic Takoma, Inc. on their 25<sup>th</sup> anniversary. Ms. Mizeur seconded the motion. Ms. Austin-Lane commented on the work of the organization and their partnership with the City. Mr. Williams commented on the their work reaching across the border into Takoma D.C.

Sabrina Baron, President of Historic Takoma, thanked Council. She recognized the three founders present tonight: Ellen Marsh, Loretta Newman, Roland Halstead. The fourth founder, Phil Vogel, passed away a few years ago.

Loretta Newman noted that she lives on the DC side. She recognized Ellen Marsh and the other

founders.

Roland Halstead credited Ellen Marsh's vision for the organization, the work she did authoring the book Takoma Park, A Victorian Suburb, work on the Cady Lee Mansion.

ANC Commissioner, Faith Wheeler, thanked Historic Takoma for being so active on the DC side of Takoma Park.

Julia O'Mally, Chair of the Montgomery County Historic Preservation Commission, called Takoma Park one of the jewels of Montgomery County.

Lorraine Pearsall, Vice President of Historic Takoma, thanked spouses of Historic Takoma board members. She recognized the founders. Because of their help, the City survived the threats of Montgomery College expansion, the WMATA development, the freeway. These and others worked to protect our neighborhoods and our resources. She thanked the community minded nature of this Council.

Resolution #2004-61 was adopted unanimously (VOTING FOR: Porter, Austin-Lane, Barry, Elrich, Mizeur, Seamens, Williams).

**RESOLUTION #2004-61  
(Attached)**

**PUBLIC COMMENTS**

Pat Fletcher, AFSCME Council 67, Staff Representative, testified concerning the Landlord Tenant Mediation Specialist position. She expressed concern that the union was not informed about the recommendation to reduce the position to part time. Moses Wilds, who serves in the position, does not agree that the position can be accomplished on a part-time basis. Ms. Fletcher's statement is attached.

Ms. Porter said she appreciates the comments, noting that the Council has not yet decided to reduce positions. She said she want to make it clear that the consideration was not related to Mr. Wilds' work.

**PRESENTATION**

**1. Update on the Community Center Construction Project.**

The City Manager indicated that she would provide her update later during the discussion of Community Center financing.

**INTERVIEWS**

## **2. Ethics Commission Interview.**

The Council interviewed David Pittman.

Mr. Pittman said he wants to give back to his community. He commented on his thoughts about the Ethics Commission, said he has reviewed the Ethics Ordinance and believed it could be broader in scope.

## **3. Safe Roadways Committee Interview.**

The Council interviewed Steve Moody.

Mr. Moody commented on his desire to be involved in the community. His preparation for a triathlon has taken him over many of the roads in the city. He is very interested in safe roadways.

## **SPECIAL SESSION**

### **5. 1<sup>st</sup> Reading Ordinance re: Amendments to Ch. 6 Housing (Air Conditioning).**

Housing and Community Development Director Sara Daines explained that the amendments to the Housing Code would expand the landlords' obligations to maintain air conditioning in rental units where air conditioning was previously provided. Landlords would be prohibited from removing air conditioning units. In response to a question from Ms. Mizeur, she indicated that the requirement is tied to the unit or building, not the particular tenancy. If air conditioning is provided anywhere in the building, the implication is that it will be provided in the whole building.

Moved by Seamens; seconded by Barry.

Ordinance #2004-36 was adopted unanimously at first reading (VOTING FOR: Porter, Austin-Lane, Barry, Elrich, Mizeur, Seamens, Williams).

### **ORDINANCE #2004-36 (Attached)**

### **6. Resolution re: Citizens' Liaison Committee to the Community Center.**

Ms. Porter noted that the intent is to reconstitute the Citizens' Liaison Committee to the Community Center, by reappointing interested members and appointing new members. The size of the committee is not restricted. Interested individuals who have come forward thus far: Andrew Kelemen (PSCAC), Annie Mozer (Recreation Committee - Hodges Heights); Alice Sims (Takoma Artists Guild - SS Carroll), Karen Mendez (Ward 5 - Hudson Avenue), Maurice Belanger (PEN), Howard Kohn (Ward 3 - SS Carroll), Judy Dickinson (Maple Avenue apartments), Carol Stewart (Takoma Foundation - Between the Creeks), Ray Scannell (Babe

Ruth Baseball), Scott Davis (Boys and Girls Club), Stephanie Jennings (Arts and Humanities Commission - WACO), Pam Larson - Hodges Heights, Dallas Burtraw (Neighborhood Youth Soccer). Richard Levine would also like to continue.

Mr. Seamens expressed concern about the lack of notice to Council and concerned that the committee is already scheduled to meet, suggesting that we need to be more professional and organized. Ms. Porter commented that this came out of a discussion that the Council had previously. Mr. Elrich said he was the one who suggested bringing some of the community center issues back to the committee. Mr. Williams said he was happy that the people with long knowledge are willing to come back and work on this again. This is just a continuation of where we were. Mr. Barry said this is one aspect of getting all the input possible before Council makes decisions about the community center. Ms. Austin-Lane said she has a number of appointments to make from her ward: Peter Kovar, Stephen Brown, Tom Gagliardo, Erik Lichtenberg, Lorraine Pearsall, and Wayne Sherwood. She clarified that the meetings would be open and advertised.

Ms. Porter noted that a majority of Council are interested in moving forward with the resolution.

Moved by Elrich; seconded by Barry.

Mr. Seamens requested clarification on the purpose of the committee. Ms. Porter said the committee would serve to foster communication, obtain views of interested parties, and make recommendations. Mr. Williams commented that this is a re-expansion of the committee.

Nellie Moxley, Pinecrest President, commented that the committee should not just push for building the gym.

Dan Robinson, Grant Avenue, commented on the need for independence and diversity on the committee. It should enable affected parties to talk to each other. He confirmed that anyone interested can be appointed.

Catherine Tunis, Chair of the Committee on the Environment, commented that the Committee on the Environment is angry that their recommendations for the community center have been ignored. She encouraged Council to be sure that the leadership of the Citizens Committee is neutral, and that groups are represented.

Resolution #2004-62 was adopted (VOTING FOR: Porter, Austin-Lane, Barry, Elrich, Mizeur, Williams; VOTING AGAINST: Seamens).

**Resolution #2004-62  
(attached)**

**7. Resolution re: COG's Takoma Branch Project**

Community and Government Liaison Ludlow, Committee on the Environment Chair Catherine Tunis, and John Galli from COG presented information on the proposal to support the formation of a coalition to clean up Takoma Branch. Discussion ensued as Councilmembers sought clarification on what commitment would be expected from the City. With Council consensus, the “Whereas clause” of the draft resolution was amended from “hereby agrees to partner with COG’s Takoma Branch project” to “expresses interest in partnering with COG’s Takoma Branch project.”

The resolution was moved by Seamens; seconded by Williams.

Catherine Tunis spoke in support of the resolution, noting that Friends of Sligo Creek will also be preparing a letter of support.

Nellie Moxley, spoke in support of the resolution.

Dan Robinson spoke in support of the resolution.

Resolution #2004-63 was adopted unanimously (VOTING FOR: Porter, Barry, Elrich, Mizeur, Seamens, Williams; ABSENT: Austin-Lane).

**RESOLUTION #2004-63**  
**(attached)**

**8. 1<sup>st</sup> Reading Ordinance re: Updated/Reformatted City Code.**

The ordinance to adopt a recodification of the Takoma Park Code, including the errata sheet was moved by Elrich; seconded by Barry.

Roland Halstead, Maple Avenue, commented that he looks forward to adoption of the new code.

Ordinance #2004-37 accepted at first reading (VOTING FOR: Porter, Barry, Elrich, Mizeur, Seamens; ABSENT: Austin-Lane, Williams).

**ORDINANCE #2004-37**  
**(attached)**

**9. 1<sup>st</sup> Reading Ordinance re: Amending the Takoma Park Code to Increase Parking Violation Fines.**

Police Chief Creamer described the suggested amendments to the Takoma Park Code to increase parking violation fines. If adopted, we estimated that it would increase revenue by approximately \$70,700 annually. However, if Council increases the fines, more people may opt to go to court instead of simply paying the ticket. This could result in some overtime costs. She noted that she recommends that the ordinance take effect in 60 days to allow time to print new

ticket books and take care of other administrative tasks.

Mr. Elrich commented on the time it takes to have an vehicle towed and asked to be kept posted on the situation. Mr. Barry commented on the problem of people walking off and leaving their car for days.

Ordinance #2004-38 accepted at first reading (VOTING FOR: Porter, Austin-Lane, Barry, Elrich, Mizeur, Seamens, Williams).

**ORDINANCE #2004-38  
(attached)**

**BREAK**

The Council recessed for a scheduled break at 9:28 p.m. and reconvened in Worksession at 9:41 p.m.

**10. Discussion of Montgomery College Facilities Master Plan.**

Community and Government Liaison Ludlow, Lorraine Pearsall of Historic Takoma, Inc., and John McClain from Montgomery College were present for the discussion. Ms. Ludlow presented a staff report. Council discussed the issues. Ms. Austin-Lane commented on North Takoma's concerns. They would like a town and gown meeting with the Montgomery College. They are concerned about a number of issues, including bus transit. Ms. Pearsall commented on the need to set up a process now to address future plans at the college. A town and gown committee facilitated by the City could help facilitate needed dialogue. Mr. McClain commented on the positive value of a town and gown process.

There was Council consensus to move forward with a town and gown committee.

**11. Community Center Financing.**

City Manager Matthews reviewed the material presented in her memo. Council discussed the options presented.

Increase in the rental housing license fee: Council discussed the problem of the fee being passed onto tenants, whether the Tax and Service Duplication Committee would examine it, and whether the Council could handle the licensing program. Staff will provide more information at the meeting next week.

Application fee for landlord hardship petitions: After discussion, Council agreed to hold this decision until the discussion of Rent Stabilization in the new year.

Fee for Notary Services: There was Council consensus to charge a fee for non-residents, and to

keep the service free for residents.

Fee for Fingerprinting: There was Council consensus to increase the fee as per the Chief's recommendation.

Expenditure Reductions for Staffing: Council discussed the option recommended by staff, to eliminate the part-time passport position and reduce the landlord tenant specialist to part time. Ninety day notice and discussion with the Union is required. There was Council consensus to proceed with the staff recommendation to eliminate the part-time passport agent position. The City Manager will bring back further information at the next meeting about the landlord tenant specialist position.

City Priorities Funding Reductions: These included the Recreation Outreach Program, one Police training program (which duplicates another program already in place), community center fundraising, Urban Forest Management reductions, and flyer distribution funding. Council discussed the impact of the programs.

Police Training: There was consensus to eliminate the specified police training funding because it is already provided for in the Police Department budget.

Recreation Outreach: Ms. Mizeur spoke about the importance of stepping up to make the difficult decisions at this time. There was consensus to move forward with a number of the City Manager's proposals. The recreation outreach program was reduced by \$2500, deferring an outreach program in Ward 2 until the next Fiscal Year.

Fundraising for the community center: There was consensus to reallocate the \$15,000 now, with a recognition that Mr. Williams may come forward in the future with a proposal for fundraising that may need to be funded.

Urban Forest Management: There was consensus to reduce the funding by the amount recommended, with the understanding that it will defer some tree planting. The Maple Avenue tree project may be able to be funded from the unappropriated reserve.

Flyer Distribution: Council discussed the upcoming mailing about the community center project funding. Mr. Hobbs will provide information on costs for the upcoming mailing, including translation into Spanish. Ms. Matthews will provide a draft for Council review.

Ms. Mizeur noted the previous discussion about reduction in funding for the City Newsletter. Ms. Austin-Lane commented on the proposal to decrease the size of the newsletter and whether the newsletter should be used for more than information.

Ms. Austin-Lane requested a review of the commercial inspection cycle and the fees associated with it. She also requested correct information on fees for Montgomery County recycling and leaf collection if they were to take over our program.

Mr. Seamens would also like to revisit the newsletter question.

Ms. Porter said she would like a response from the newsletter editor about Ms. Austin-Lane's concerns. Mr. Seamens would like estimates on the amount of staff time put into preparing articles and editing articles for the newsletter.

## **ADJOURNMENT**

The Council adjourned for the evening at 11:17 p.m.